IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1041 OF 2007
IN
FIRST APPEAL NO.3151 OF 2006
IN
M.A.C.P. NO.2308 OF 1995

Smt. Germain J. D'Mello & Ors. ...Applicants
V/s.
M/s. Cooper Conductors Co. .
The Small Industries Co-op. Ltd. & Anr. ...Respondents

Mr.M.B. Kotak for the Applicants. .
Ms.S.N. Ghotekar for the Respondents.

CORAM : J.N. PATEL &
A.A. SAYED, JJ.

DATE : 24TH APRIL, 2007.

P.C. :

1. The Respondents have deposited the amount in terms of award passed by the Motor Accident Claims Tribunal. The original claimants have filed this application for disbursement of the amount which has been strongly objected to by the Respondent-Insurance Company.

2. After going through the order passed by the Motor Accident Claims Tribunal, in our view, the amount can be safely disbursed in accordance with the directions issued by the Motor Accident Claims Tribunal in its judgment and order as that sufficiently protects the interests of the parties.

3. The Civil Application is allowed in the aforesaid terms.

4. As per the disbursment order passed by the Motor Accident Claims Tribunal and for the purpose of calculation of the amount due and payable by taking into account the interest awarded by the Motor Accident Claims Tribunal, the amount of interest be appropriated proportionately amongst the original claimants.

[J.N. PATEL, J.]

[A.A. SAYED, J.]